

S. 1960 is important legislation because it makes clear that all athletes participating in professional sports will be held to the same standards of fair play. By instituting minimum standards for the testing of steroids, professional sports teams and professional athletes can regain the respect and trust of the American people. It is important that we hold adults to the same standards of character as we do our children. Young people look up to professional athletes as role models. We owe it to them to make sure that adults behave according to the same standards of trustworthiness, fairness, and respect.

VETERANS DAY 2005

Mr. DOMENICI. Mr. President, today, we as Americans gather to honor all those who served, fought and sacrificed to defend our Nation throughout its history.

During the 229 year history of our Nation, brave Americans have answered the call to defend their country's freedom and the freedom of people around the globe. Today, as in the past, our servicemen and women continue to embrace these twin goals.

I encourage my fellow New Mexicans and all Americans to take a few moments to remember and honor the gallant men and women of our Armed Forces past and present.

New Mexicans have a long distinguished history of military service. During the Spanish American War New Mexico guardsmen formed the bulk of the 2nd Squadron of the 1st Cavalry Regiment which served with Teddy Roosevelt and his Rough Riders at the battle of San Juan Hill. When the United States entered the First World War, New Mexicans of the 1st Infantry Regiment served with the 40th Infantry Division in France. While participating in the Italian campaign of the Second World War, New Mexicans of the 104th Tank Destroyer battalion were awarded 8 Silver Stars, 60 Bronze Stars, and 135 Purple Hearts. Of course no one will forget the contribution to final victory the Navajos from our State made as "code talkers" or the bravery of the "New Mexico Brigade" in the Philippines. In the history of our Nation New Mexicans have served with great distinction from the swamps of Cuba, to the jungles of Vietnam and the deserts of Iraq.

It is important that we never forget the sacrifice and dedication of these Americans. They left behind the comfort of home, family and friends to defend our country and its countless blessings. For this, many have paid an immense price, emotionally and physically, some enduring years of captivity and suffering, some never to return home. We Americans owe all that we have to these men and women. No praise or honor will ever be too great for these individuals.

The service of veterans to our country has never ended with their depart-

ture from the Armed Forces. They have enriched every community in which they reside with their strength of character, hard work and devotion to family. For this we must also be grateful.

Since 9/11, the men and women of our Armed Forces have been called away from home, and are today furthering the cause of freedom in Iraq, Afghanistan and all over the globe. Many of these individuals are National Guardsmen like the members of the 515th Corps Support Battalion that recently returned from Iraq and the servicemen and women from Holloman, Kirtland, and Cannon Air Force bases. They serve with the same courage and commitment shown by Americans of generations past and they, too, deserve our thoughts and prayers. May our United States continue to be blessed and may America forever remain the land of the free and the home of the brave.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN WHICH WAS DECLARED IN EXECUTIVE ORDER NO. 12170 ON NOVEMBER 14, 1979—PM 30

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the Iran emergency declared by Executive Order 12170 on November 14, 1979, is to continue in effect beyond November 14, 2005. The most recent notice continuing this emergency was published in the *Federal Register* on November 12, 2004 (69 FR 65513).

Our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway. For these reasons, I have determined that it is necessary to continue the national emergency declared on November 14, 1979, with respect to Iran, beyond November 14, 2005.

GEORGE W. BUSH.
THE WHITE HOUSE, November 9, 2005.

MESSAGE FROM THE HOUSE

At 12:28 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3770. An act to designate the facility of the United States Postal Service located at 205 West Washington Street in Knox, Indiana, as the "Grant W. Green Post Office Building".

H.R. 3825. An act to designate the facility of the United States Postal Service located at 770 Trumbull Drive in Pittsburgh, Pennsylvania, as the "Clayton J. Smith Memorial Post Office Building".

H.R. 4053. An act to designate the facility of the United States Postal Service located at 545 North Rimsdale Avenue in Covina, California, as the "Lillian Kinkella Keil Post Office".

At 3:10 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 2419 making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes.

The message also announced that the House agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H.R. 2862 making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

At 5:29 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House disagree to the amendment of the Senate to the bill H.R. 3199 to extend and modify authorities needed to combat terrorism, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House:

From the Committee on the Judiciary, for consideration of the House bill (except section 132) and the Senate amendment, and modifications committed to conference: Mr. SENSENBRENNER, Mr. COBLE, Mr. SMITH of Texas, Mr. GALLEGLY, Mr. CHABOT, Mr. JENKINS, Mr. CONYERS, Mr. BERMAN,

Mr. BOUCHER, and Mr. NADLER: Provided, That Mr. SCOTT of Virginia is appointed in lieu of Mr. NADLER for consideration of sections 105, 109, 111–114, 120, 121, 124, 131, and title II of the House bill, and modifications committed to conference.

From the Permanent Select Committee on Intelligence, for consideration of sections 102, 103, 106, 107, 109, and 132 of the House bill, and sections 2, 3, 6, 7, 9, and 10 of the Senate amendment, and modifications committed to conference: Mr. HOEKSTRA, Mrs. WILSON of New Mexico, and Ms. HARMAN.

From the Committee on Energy and Commerce, for consideration of sections 124 and 231 of the House bill, and modifications committed to conference: Mr. NORWOOD, Mr. SHADEGG, and Mr. DINGELL.

From the Committee on Financial Services, for consideration of section 117 of the House bill, and modifications committed to conference: Mr. OXLEY, Mr. BACHUS, and Mr. FRANK of Massachusetts.

From the Committee on Homeland Security, for consideration of sections 127–129 of the House bill, and modifications committed to conference: Mr. KING of New York, Mr. WELDON of Pennsylvania, and Ms. ZOE LOFGREN of California.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3770. An act to designate the facility of the United States Postal Service located at 205 West Washington Street in Knox, Indiana, as the “Grant W. Green Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3825. An act to designate the facility of the United States Postal Service located at 770 Trumbull Drive in Pittsburgh, Pennsylvania, as the “Clayton J. Smith Memorial Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4053. An act to designate the facility of the United States Postal Service located at 545 North Rimsdale Avenue in Covina, California, as the “Lillian Kinkella Keil Post Office”; to the Committee on Homeland Security and Governmental Affairs.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, November 9, 2005, she had presented to the President of the United States the following enrolled bill:

S. 1285. An act to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the “Rosa Parks Federal Building”.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communication was laid before the Senate, together with accompanying papers, reports, and documents, and was referred as indicated:

EC-4603. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from April 1, 2005 through September 30, 2005; ordered to lie on the table.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. LUGAR, from the Committee on Foreign Relations:

[Council of Europe Convention on Cybercrime (Treaty Doc. 108–11) with 6 reservations and 5 declarations (Ex. Rept. 109–6).]

TEXT OF THE RESOLUTION OF RATIFICATION AS REPORTED BY THE COMMITTEE ON FOREIGN RELATIONS:

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to Reservations and Declarations

The Senate advises and consents to the ratification of the Council of Europe Convention on Cybercrime (“the Convention”), signed by the United States on November 23, 2001 (T. Doc. 108 11), subject to the reservations of section 2, and the declarations of section 3.

Section 2. Reservations

The advice and consent of the Senate under section 1 is subject to the following reservations, which shall be included in the United States instrument of ratification:

(1) The United States of America, pursuant to Articles 4 and 42, reserves the right to require that the conduct result in serious harm, which shall be determined in accordance with applicable United States federal law.

(2) The United States of America, pursuant to Articles 6 and 42, reserves the right not to apply paragraphs (1)(a)(i) and (1)(b) of Article 6 (“Misuse of devices”) with respect to devices designed or adapted primarily for the purpose of committing the offenses established in Article 4 (“Data interference”) and Article 5 (“System interference”).

(3) The United States of America, pursuant to Articles 9 and 42, reserves the right to apply paragraphs (2)(b) and (c) of Article 9 only to the extent consistent with the Constitution of the United States as interpreted by the United States and as provided for under its federal law, which includes, for example, crimes of distribution of material considered to be obscene under applicable United States standards.

(4) The United States of America, pursuant to Articles 10 and 42, reserves the right to impose other effective remedies in lieu of criminal liability under paragraphs 1 and 2 of Article 10 (“Offenses related to infringement of copyright and related rights”) with respect to infringements of certain rental rights to the extent the criminalization of such infringements is not required pursuant to the obligations the United States has undertaken under the agreements referenced in paragraphs 1 and 2.

(5) The United States of America, pursuant to Articles 22 and 42, reserves the right not to apply in part paragraphs (1)(b), (c) and (d) of Article 22 (“Jurisdiction”). The United States does not provide for plenary jurisdiction over offenses that are committed outside its territory by its citizens or on board ships flying its flag or aircraft registered under its laws. However, United States law does provide for jurisdiction over a number of offenses to be established under the Convention that are committed abroad by United States nationals in circumstances

implicating particular federal interests, as well as over a number of such offenses committed on board United States-flagged ships or aircraft registered under United States law. Accordingly, the United States will implement paragraphs (1)(b), (c) and (d) to the extent provided for under its federal law.

(6) The United States of America, pursuant to Articles 41 and 42, reserves the right to assume obligations under Chapter II of the Convention in a manner consistent with its fundamental principles of federalism.

Section 3. Declarations

(1) The advice and consent of the Senate under section 1 is subject to the following declarations, which shall be included in the United States instrument of ratification:

(a) The United States of America declares, pursuant to Articles 2 and 40, that under United States law, the offense set forth in Article 2 (“Illegal access”) includes an additional requirement of intent to obtain computer data.

(b) The United States of America declares, pursuant to Articles 6 and 40, that under United States law, the offense set forth in paragraph (1)(b) of Article 6 (“Misuse of devices”) includes a requirement that a minimum number of items be possessed. The minimum number shall be the same as that provided for by applicable United States federal law.

(c) The United States of America declares, pursuant to Articles 7 and 40, that under United States law, the offense set forth in Article 7 (“Computer-related forgery”) includes a requirement of intent to defraud.

(d) The United States of America declares, pursuant to Articles 27 and 40, that requests made to the United States of America under paragraph 9(e) of Article 27 (“Procedures pertaining to mutual assistance requests in the absence of applicable international agreements”) are to be addressed to its central authority for mutual assistance.

(2) The advice and consent of the Senate under section 1 is also subject to the following declaration: The United States of America declares that, in view of its reservation pursuant to Article 41 of the Convention, current United States federal law fulfills the obligations of Chapter II of the Convention for the United States. Accordingly, the United States does not intend to enact new legislation to fulfill its obligations under Chapter II.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER:

S. 1978. A bill to amend the Federal Food, Drug, and Cosmetic Act to increase criminal penalties for the sale or trade of prescription drugs knowingly caused to be adulterated or misbranded, to modify requirements for maintaining records of the chain-of-custody of prescription drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KOHL:

S. 1979. A bill to provide for the establishment of a strategic refinery reserve, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 1980. A bill to provide habitable living quarters for teachers, administrators, and other school staff, and their households, in rural areas of Alaska located in or near Alaska Native villages; to the Committee on Indian Affairs.